REMARKS

Claims 1-26 are pending in the present application. By this amendment, claims 14-24 and 26 have been amended. The amendments do not introduce new matter and are fully supported by the original disclosure. Applicants respectfully request reconsideration of the pending claims in view of the above amendments and the following remarks.

Applicants note with appreciation that claims 1-13 are allowed.

Claims 14-26 were rejected under 35 U.S.C. §101 as allegedly being directed to a non-statutory subject matter.

Applicants respectfully traverses the rejection under 35 U.S.C §101.

The Examiner asserts that the claims are made to a computer program product comprising instructions but there is no explicit and deliberate definition in the specification that the product includes a computer readable medium.

Claims 14-26 were filed with the original disclosure including computer readable medium and, as such, satisfies the written description requirement of 35 U.S.C. §112.

In addition, paragraph [0072] states that:

"Those of skill [in the art] would further appreciate that the various illustrative logical blocks, modules, circuits, and algorithm steps described in connection with the embodiments disclosed herein may be implemented as electronic hardware, computer software, or combinations of both. To clearly illustrate this interchangeability of hardware and software, various illustrative components, blocks, modules, circuits, and steps have been described above generally in terms of their functionality. Whether such functionality is implemented as hardware or software depends upon the particular application and design constraints imposed on the overall system."

Paragraph [0074] further states:

"The steps of a method or algorithm described in connection with the embodiments disclosed herein may be embodied directly in hardware, in a software module executed by a processor, or in a combination of the two. A software module may reside in RAM memory, flash memory, ROM memory, EPROM memory, EEPROM memory, registers, hard disk, a removable disk, a CD-ROM, or any other form of storage medium known in the art. An exemplary storage medium is coupled to the processor such the processor can read information from, and write information to, the storage medium. In the alternative, the storage medium may be integral to the processor. The processor

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and the storage medium may reside in an ASIC. The ASIC may reside in a user terminal. In the alternative, the processor and the storage medium may reside as discrete components in a user terminal." (Emphases added.)

It should be noted that the USPTO has stated time and again that "a claimed computer-readable medium encoded with data structure ... is statutory." MPEP 2106 IV.B.1.(a).

Given that the claimed invention is supported in the original disclosure, applicants respectfully request withdrawal of the rejection of claims 14-26 under 35 U.S.C §101.

REQUEST FOR ALLOWANCE

In view of the foregoing, applicants respectfully submit that all of the pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

Dated: 09/18/2006   By: _____

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